

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Andre Lee Warren

Docket No. 5:15-CR-304-1FL

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Andre Lee Warren, who, upon an earlier plea of guilty to Bank Fraud, in violation of 18 U.S.C. §§ 1344(1) and (2), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on September 11, 2017, to the custody of the Bureau of Prisons for a term of Time Served. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Andre Lee Warren was released from custody on September 11, 2017, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On September 11, 2017, the defendant was ordered to pay a \$100 special assessment and \$4,093.50 in restitution, payable in full immediately; however, Warren is unable to pay the financial obligation in full immediately. Since the defendant is willing to make monthly payments toward the financial obligation, the probation office respectively recommends a payment schedule be set of \$100 per month beginning on November 10, 2017.

On September 18 and 20, 2017, the defendant provided urine samples that were submitted for laboratory analysis; however, Warren admitted he last used marijuana on September 16, 2017. On September 23 and 25, laboratory analysis revealed positive results for marijuana. The subsequent test appears to be a positive result due to the residual use of marijuana. The defendant was verbally reprimanded for his drug use and has agreed to participate in substance abuse treatment. Additionally, as a sanction for this violation conduct, participation in the DROPS Program (second use level) is recommended. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. A payment schedule of \$100 per month beginning on November 10, 2017, be scheduled for the defendant to pay towards his financial obligation.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days. The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Michael W. Dilda
Michael W. Dilda
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2342
Executed On: September 28, 2017

ORDER OF THE COURT

Considered and ordered this 2nd day of October, 2017, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge